PROCEEDINGS OF THE COMMON COUNCIL
IN - REGULAR SESSION
TUESDAY, APRIL 24, 19 79

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening April 24 A.D., 19 79, in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz: LOGAN ✓ ark

BURNS ✓, HINGA ✓, HUNTER ✓,
MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,

ABSENT

COUNCILMAN , , ,
, , ,

The invocation was given by Reverend Carlos Rozas - St. Paul's Catholic Church

Received report from the City Controller for the month of , 19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular March 27, 19 79,
April 10, 19 79,
Special March 31, 19 79,

Session having been delivered to the Council, were, on motion, approved and published.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 23/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 4-24-79 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 23/79/E)

I hereby certify that I did this 16th day of April, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 23/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Cooner

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 23/79/E

(Adopted April 16, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 12/79/E: THRU STREET (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 12, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 16, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

Goshen Rd. -- from -- State Blvd. to Coliseum Blvd. except at State Blvd., Sherman Blvd., and Coliseum Blvd.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 24/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 4-24-79 CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 24/79/ E)

I hereby certify that I did this 17th day of April, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 24/79/ E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 24/79/E

(Adopted April 17, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 11/79/E:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

DELETE: ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 12, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 17, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St. -- East side -- Berry St. to Wayne St.
Berry St. -- north side -- Barr St. to Lafayette St.
Harrison St. -- east side -- Main St. to Superior St.
Harrison St. -- west side -- Berry St. to Main St.
Harrison St. -- west side -- Washington Blvd. to Wayne St.
Wayne St. -- both sides -- Harrison St. to Webster St.
Wayne St. -- north side -- Clinton St. to Barr St.
Calhoun St. -- both sides -- Clair St. to Superior St.

DELETE:
ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)
Barr St. -- east side -- Berry St. to Wayne St.
Berry St. -- north side -- Barr St. to Lafayette St.
Harrison St. -- east side -- Main St. to Superior St.
Harrison St. -- west side -- Berry St. to Main St.
Harrison St. -- west side -- Washington Blvd. to Wayne St.
Wayne St. -- both sides --Harrison St. to Webster St.
Wayne St. -- north side -- Clinton St. to Barr St.
Calhoun St. -- both sides -- Clair St. to Superior St.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 25/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 4-24-79 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 25/79/E)

I hereby certify that I did this 23rd day of April, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 25/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Cooman

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 25/79/E

(Adopted April 23, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY): DELETE: NO PARKING 8:00 AM to 9:00 AM and 3:00 PM to 4:00 PM.

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 18, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 23, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Berry St. -- north side -- from Van Buren St. to Jackson St.

DELETE:
NO PARKING 8:00 AM to 9:00 AM and 3:00 P.M. to 4:00 P.M. (EMERGENCY)

Berry St. -- north side -- from Van Buren St. to Jackson St.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 26/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 5-24-79 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 26/79 E)

I hereby certify that I did this 24th day of April, 19 79 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 26/79 E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 26/79/E

(Adopted April 24, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 24, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Wagner St. -- stop -- for Griswold Ave.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated alley.

The proposed ordinance is designated as:

BILL NO. G-79-03-17

Respectfully submitted,

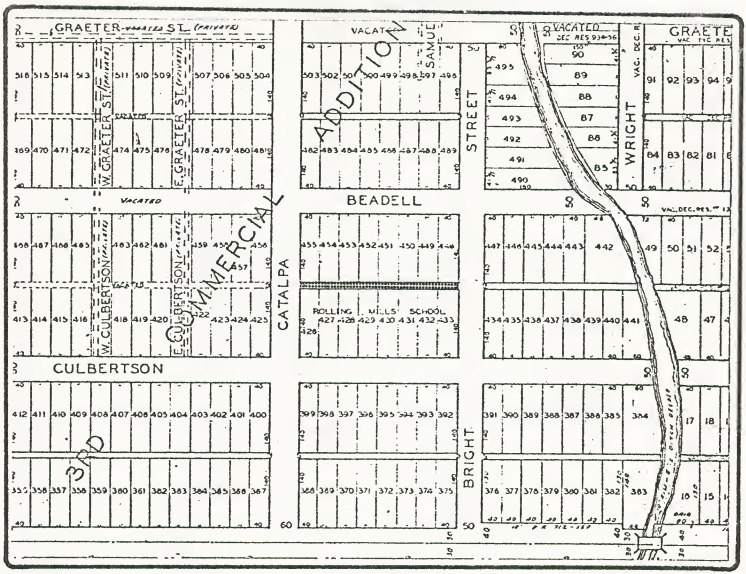
CITY PLAN COMMISSION

Certified and signed this
24th day of April, 1979.

Thomas Adams

Thomas Adams
Secretary

MADE A MATTER OF RECORD
DATE 4-24-79 CHARLES W. WESTERMAN, CITY CLERK



VACATION OF ALLEY

MAP NO. 1-2

1-3-79

6-79-03-17

N

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held April 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-03-17

2. Intended Use: Vacated right-of-way will be utilized by abutting property owners.

3. Plan Commission Recomendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten pb

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

R E S O L U T I O N

WHEREAS, the YOUNG MEN'S CHRISTIAN ASSOCIATION have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Fort Wayne, Allen County, to-wit:

> Running east and west between Catalpa Street on the west and Bright Street on the east, and on the north by the south line of Lots 448 through 455 of Third Commercial Addition to the City of Fort Wayne, and on the south by the north line of Lots 426 through 433 of Third Commercial Addition to the City of Fort Wayne according to the recorded plat thereof and hereinafter referred to as the alley

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 16, 1979, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne Ctiy Plan Commission that the vacation of said public alley hereinberfore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and oepration of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Thomas Adams Secretary, of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission Held April 16, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 24th DAY OF April 1979.

FORT WAYNE CITY PLAN COMMISSION

Thomas Adams

Thomas Adams
Secretary

RESOLUTION 67-126-9

WHEREAS, the YOUNG MEN'S CHRISTIAN ASSOCIATION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the following public alley situated in Fort Wayne, Allen County, to-wit:

> Running east and west between Catalpa Street on the West and Bright Street on the East, and on the North by the south line of Lots 448 through 455 of Third Commercial Addition to the City of Fort Wayne, and on the South by the north line of Lots 426 through 433 of Third Commercial Addition to the City of Fort Wayne according to the recorded plat thereof and hereinafter referred to as the alley.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held April 25 1979 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 25th DAY OF April 1979

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar

Ethel H. LaMar, Member

Max G. Scott

Max G. Scott, Member

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-03-21

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of April, 1979.

Thomas G. Adams

Thomas Adams
Secretary

MADE A MATTER OF RECORD
DATE 4-24-79 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-79-03-21

2. From B1A to B1B

3. Intended Use: Unknown

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. This request was previously approved by the Commission - this bill is before the Commission & Council to correct an error in the original legal description.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten (pb)

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 27, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-03-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

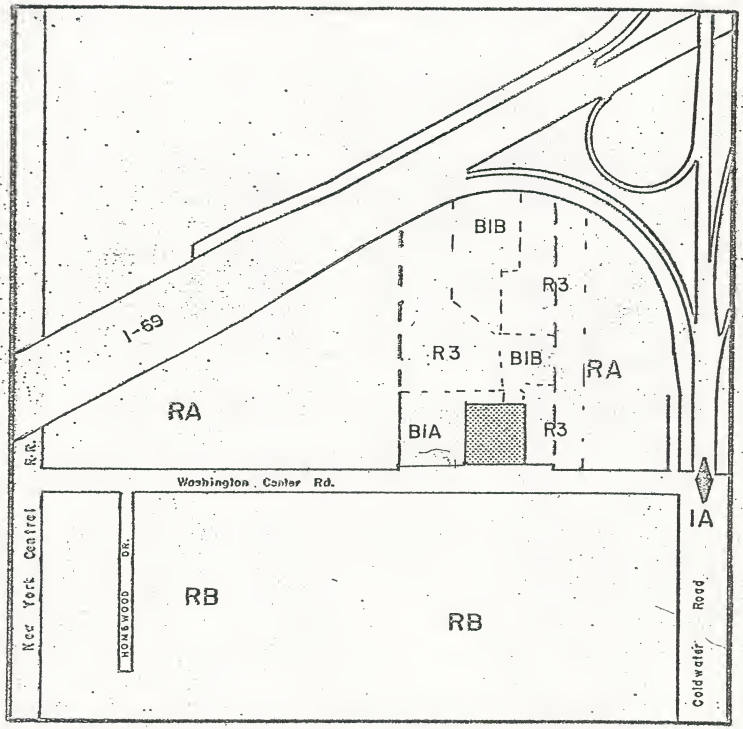
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 23, 1979.

Certified and signed this
24th day of April, 1979.

Thomas G. Adams

Thomas Adams
Secretary



TO BE REZONED FROM BIA TO BIB

MAP NO. M-38

Z-79-03-21

BY M.F.C 4-11-78

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THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-03-19

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of April, 1979.

Thomas B. Adams

Thomas Adams
Secretary

MADE A MATTER OF RECORD
DATE 4-24-79 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-79-03-19

   This ordinance was requested WITHDRAWN by written request from the petitioner. (Letter of withdrawal is attached.)

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

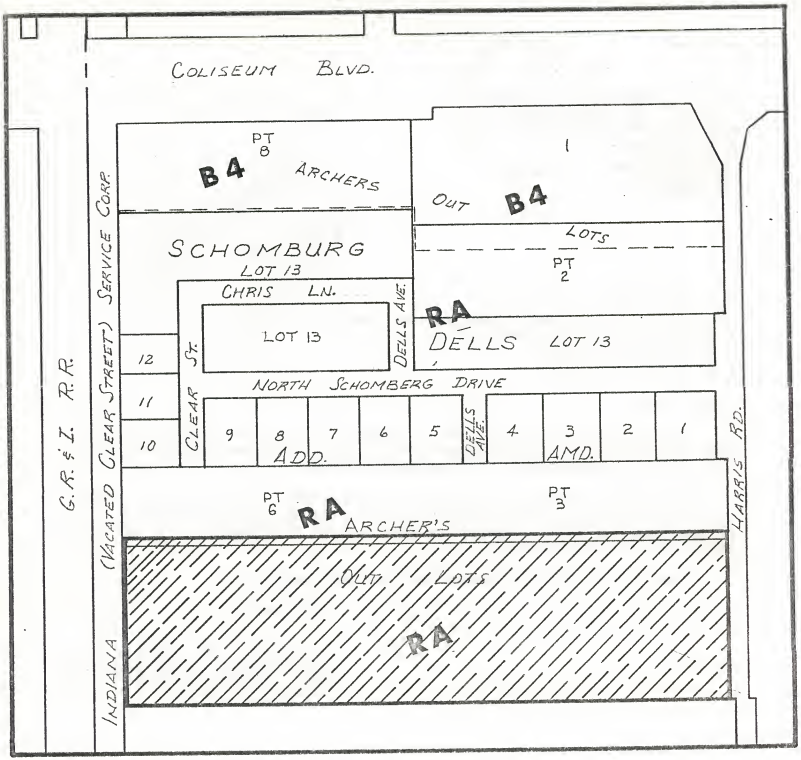
Gary F. Baeten (pb)

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER



REZONE FROM RA TO R-3

Z-79-03-19

zktazian
CIVIL ENGINEERING SURVEYING LAND PLANNING
ASSOCIATES INC.
710 S. EARR ST.
FT. WAYNE IN. 46802
219-743-0003
219-432-5333

April 20, 1979

RECEIVED
APR 20 1979
FORT WAYNE CITY
PLAN COMMISSION

Mr. Gary Baeton, Director
Division of Long Range Planning and Zoning
Fort Wayne City Plan Commission
City County Building
Fort Wayne, Indiana

Dear Gary:

As a result of discussion at the April 16, 1979 public hearing and on behalf of the petitioners we wish to request withdrawal of the rezoning petition to R-3 on Harris Road.

It is our understanding that the intended land use of 2, 3 and 4 unit dwellings on individual lots is a permitted use in the RA zoning district and a rezoning would not be necessary or in the best interests of the community.

Thanks for your consideration in this matter.

Sincerely,

Zohrab K. Tazian

Z.K. TAZIAN ASSOCIATES, INC.
Zohrab K. Tazian

ZKT/dst

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, IN, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-03-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of April, 1979.

Thomas Adams

Thomas Adams
Secretary

4-24-79 MADE A MATTER OF RECORD
DATE CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-79-03-18

2. From R3 to B3B

3. Intended Use: Heating & Air Conditioning Repair

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the for the following reason:

   a. This use is compatible with the surrounding area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten pb

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 27. 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-03-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need hass been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

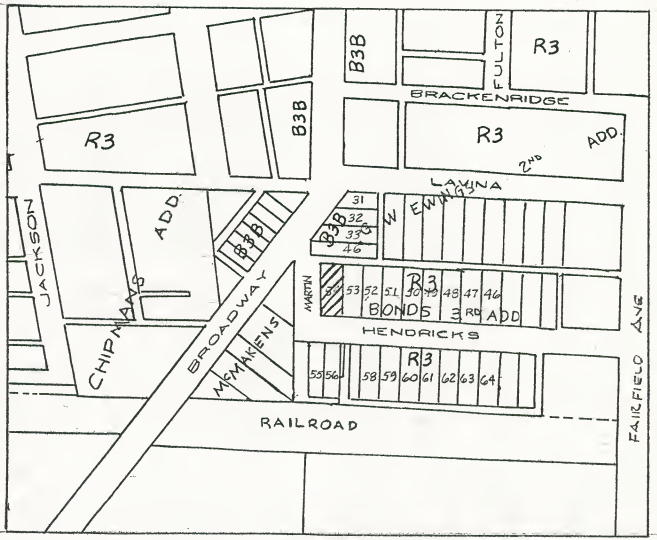
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 23, 1979.

Certified and signed this
24th day of April 1979.

Thomas G. Adams

Thomas Adams
Secretary



Rezone From R3 to B3B

Z-79-03-18

MAP No. L-2
PREPARED BY: B.W. 3-9-79

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 April 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-78-03-22

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of April 1979.

Thomas D. Adams

Thomas Adams
Secretary

MADE A MATTER OF RECORD
DATE 4-24-79 CHARLES W. WESTERMAN, CITY CLERK

AN EQUAL OPPORTUNITY EMPLOYER

roberts development corp.

REAL ESTATE DEVELOPMENT • CONSTRUCTION

4646 u.s. 24 west
fort wayne, indiana 46804
telephone: 219 - 432-8551

RECEIVED
APR 20 1979
FORT WAYNE CITY
PLAN COMMISSION 1979

Mr. Gary F. Baeten
Land Use Administrator
Community Development and Planning
Division of Long Range Planning and Zoning
The City of Fort Wayne
Fort Wayne, IN

Re: Bill No. Z-78-03-22
From "R3 to "B3B"

Dear Mr. Baeten:

Pursuant to your City Plan Commission meeting held April 17, 1978, concerning our rezoning request for a tract of land containing approximately 2.05 acres, more or less, located at the terminus of Park West Drive approximately 1200 feet, more or less, northwest of U.S. 24 West and just east of the subdivision known as Fleck's Amended Sub, we hereby agree to restrict the use of the aforementioned property to recreational and office uses only.

However, the property owner does reserve the right to appear before the City Plan Commission at a later date to request said Commission to consider alternative uses for the property should the need arise.

Sincerely,

Daniel L. Roberts
President

DLR:mju

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned Notary Public in and for said County and State aforesaid, this 16th day of April, 1979, personally appeared the above names Roberts Development Corp., by Daniel L. Roberts, its President, to me known to be such officer of said corporation.

Witness my hand and Official Seal.

Mary Jo Uhlenhake
Notary Public

My Commission expires:

November 29, 1982

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 24, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-78-03-22

2. From R3 to B3B

3. Intended Use: Professional Offices and Recreational Uses

4. Plan Commission Recommendation: DO PASS with condition.

   This ordinance received a DO PASS recommendation for the following reason:

   a. This use is compatible with the surrounding area.

CONDITION:

1. The petitioner shall provide the Commission with a recordable Restrictive Covenant that limits the use of the property to recreational and office uses only.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten pb

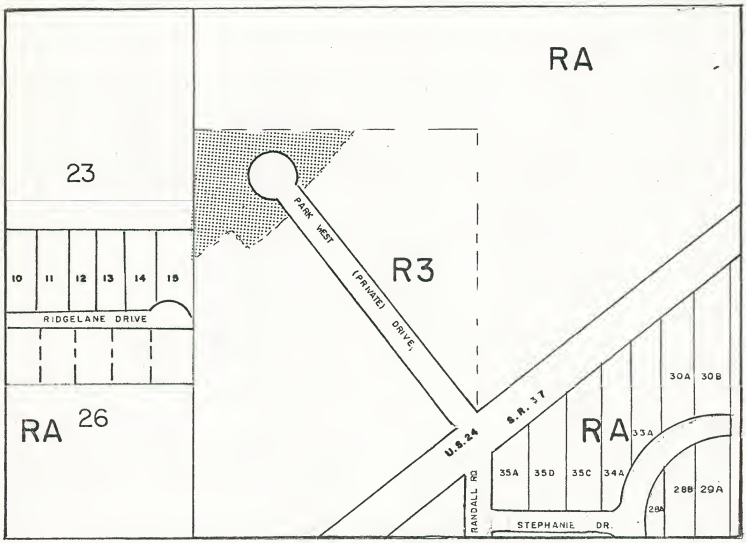
Gary F. Baeten
Senior Planner

NOTE: Attached Covenant

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER



REZONE FROM R3 TO B3B

MAP NO G2

Z-78-03-22

BY M.F.C. 3-1-78

N

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 28, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-03-22; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 17, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 24, 1978.

Certified and signed this
23rd day of April, 1979.

Thomas G. Adams

Thomas Adams
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

DATE 4-24-79 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

April 17, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today April 17, 1979, I have approved the following ordinances passed by the Common Council at its regular meeting on April 10, 1979.

(Bill No. R-79-04-06)
RESOLUTION NO. R-16-79

A RESOLUTION approving Section 8 - Existing Project by the Housing Authority of the City of Fort Wayne, Indiana

(Bill No. Z-79-02-04)
(AS AMENDED)
ZONING MAP ORDINANCE NO. Z-11-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-14 and M-14

(Bill No. Z-79-02-08)
ZONING MAP ORDINANCE NO. Z-12-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-10

(Bill No. Z-79-02-35)
ZONING MAP ORDINANCE NO. Z-13-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-04-79

(Bill No. G-78-10-31)
GENERAL ORDINANCE NO. G-10-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street

(Bill No. S-79-03-22)
SPECIAL ORDINANCE NO. S-61-79

AN ORDINANCE approving City Utilities Purchase Order No. 0914 with Asphalt Maintenance, Inc. for pavement retoration for the Water Maintenance & Service Department

(Bill No. S-79-03-23)
SPECIAL ORDINANCE NO. S-62-79

AN ORDINANCE approving City Utilities Purchase Order No. 0935 with Hefner Chevrolet, Inc. and City Utilities Purchase Order No. 0936 with Hoosier Truck Equipment, Inc. for vehicles for the Water Maintenance & Service Department

(Bill No. S-79-03-24)
SPECIAL ORDINANCE NO. S-63-79

AN ORDINANCE approving City Utilities Purchase Order No. 0931 with Hersey Meter Company for equipment for the Water Maintenance & Service Department

(Bill No. S-79-03-25)
SPECIAL ORDINANCE NO. S-64-79

AN ORDINANCE approving a contract with T & F Construction Corporation, for Street Light Improvement Resolution No. 134-78, Victoria Park Addition

(Bill No. S-79-03-26)
SPECIAL ORDINANCE NO. S-65-79

AN ORDINANCE approving a contract with T & F Construction Corporation, for Street Light Improvement Resolution No. 135-78, East Central Phase III & IV Impact Area

(Bill No. S-79-03-27)
SPECIAL ORDINANCE NO. S-66-79

AN ORDINANCE approving a contract with T & F Construction Corporation, for Street Light Improvement Resolution No. 132-78, Devonshire Drive

(Bill No. S-79-03-28)
SPECIAL ORDINANCE NO. S-67-79

AN ORDINANCE approving a contract for Water Contract No. 78-XP-3, between the City of Fort Wayne, Indiana and North Eastern Construction Company, for construction of water main

(Bill No. S-79-03-29)
(as amended)
SPECIAL ORDINANCE NO. S-68-79
(AS AMENDED)

AN ORDINANCE approving City Utilities Purchase Order No. 0915 with Siebold-Price Tree & Landscaping Co., Inc. for restoration for the Water Maintenance & Service Department

(Bill No. S-79-03-30)
SPECIAL ORDINANCE NO. S-69-79

AN ORDINANCE approving City Utilities Purchase Order No. 0948 with Cambridge Memories, Inc. for Computer Memory Equipment in Data Processing Department

Respectfully yours,

Robert E. Armstrong
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 24th day of April, 1979 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____.

Charles W. Westerman

Charles W. Westerman
City Clerk

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, APRIL 24, 1979

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening April 24, 1979, in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members nine viz:

Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

The invocation was given by Reverend Carlos Rozas - Saint Paul's Catholic Church.

The minutes of the last Regular March 27 & April 10, 1979 and Special March 31, 1979 Session having been delivered to the Council, were, on motion, approved and published.

COMMUNICATION FROM THE MAYOR

April 17, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today April 17, 1979, I have approved the following ordinances passed by the Common Council at its regular meeting on April 10, 1979.

(Bill No. R-79-04-06)
RESOLUTION NO. R-16-79

A RESOLUTION approving Section 8 - Existing Project by the Housing Authority of the City of Fort Wayne, Indiana

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(Bill No. Z-79-02 -08)
ZONING MAP ORDINANCE NO. Z-12-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-10

(Bill No. Z-79-02-35)
ZONING MAP ORDINANCE NO. Z-13-79

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(Bill No. G-78-10-31)
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AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street

(Bill No. S-79-03-22)
SPECIAL ORDINANCE NO. S-61-79

AN ORDINANCE approving City Utilities Purchase Order No. 0914 with Asphalt Maintenance, Inc. for pavement retoration for the Water Maintenance & Service Department

(Bill No. S-79-03-23)
SPECIAL ORDINANCE NO. S-62-79

AN ORDINANCE approving City Utilities Purchase Order No. 0935 with Hefner Chevrolet, Inc. and City Utilities Purchase Order No. 0936 with Hoosier Truck Equipment, Inc. for vehicles for the Water Maintenance & Service Department

(Bill No. S-79-03-24)
SPECIAL ORDINANCE NO. S-63-79

AN ORDINANCE approving City Utilities Purchase Order No. 0931 with Hersey Meter Company for equipment for the Water Maintenance & Service Department

(Bill No. S-79-03-25)
SPECIAL ORDINANCE NO. S-64-79

AN ORDINANCE approving a contract with T & F Construction Corporation, for Street Light Improvement Resolution No. 134-78, Victoria Park Addition

(Bill No. S-79-03-26)
SPECIAL ORDINANCE NO. S-65-79

AN ORDINANCE approving a contract with T & F Construction Corporation, for Street Light Improvement Resolution No. 135-78, East Central Phase III & IV Impact Area

(Bill No. S-79-03-27)
SPECIAL ORDINANCE NO. S-66-79

AN ORDINANCE approving a contract with T & F Construction Corporation, for Street Light Improvement Resolution No. 132-78, Devonshire Drive

(Bill No. S-79-03-28)
SPECIAL ORDINANCE NO. S-67-79

AN ORDINANCE approving a contract for Water Contract No. 78-XP-3, between the City of Fort Wayne, Indiana and North Eastern Construction Company, for construction of water main

(Bill No. S-79-03-29)
(as amended)
SPECIAL ORDINANCE NO. S-68-79
(AS AMENDED)

AN ORDINANCE approving City Utilities Purchase Order No. 0915 with Siebold-Price Tree & Landscaping Co., Inc. for restoration for the Water Maintenance & Service Department

(Bill No. S-79-03-30)
SPECIAL ORDINANCE NO. S-69-79

AN ORDINANCE approving City Utilities Purchase Order No. 0948 with Cambridge Memories, Inc. for Computer Memory Equipment in Data Processing Department

Respectfully yours,

Robert E. Armstrong
Mayor

Made a matter of record 4-24-79 Charles W. Westerman
City Clerk

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

23 April 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-78-03-22

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
23rd day of April, 1979

Made a matter of record 4-24-79 Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

23 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held April 24, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-78-03-22

2. From R3 to B3B

3. Intended Use: Professional Offices and Recreational Uses

4. Plan Commission Recommendation: DO PASS with condition.

   This ordinance received a DO PASS recommendation for the following reason:

   a. This use is compatible with the surrounding area.

CONDITION:

1. The petitioner shall provide the Commission with a recordable Restrictive Covenant that limits the use of the property to recreational and office uses only.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 28, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-03-22, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 17, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 24, 1978.

Thomas G. Adams
Secretary

Certified and signed this
23rd day of April, 1979

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

24 April 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-03-18

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
24th day of April, 1979

Made a matter of record 4-24-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

24 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held April 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-03-18

2. From R3 to B3B

3. Intended Use: Heating & Air Conditioning Repair

4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

a. This use is compatible with the surrounding area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Senior Planner

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 27, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-03-18. and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1979,

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use plan to be amended the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 23, 1979.

Thomas G. Adams
Secretary

Certified and signed this
24th day of April 1979

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

24 April 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-03-19

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
24th day of April, 1979

Made a matter of record 4-24-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

24 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment

1. Bill No. Z-79-03-19

   This ordinance was requested WITHDRAWN by written request from the Petitioner. (Letter of withdrawal is attached.)

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted.

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

Z.K. Tazian Associates
710 S. Barr St.
Fort Wayne, IN 46802

Mr. Gary Baeton, Director
Division of Long Range Planning and Zoning
Fort Wayne City Plan Commission
City County Building
Fort Wayne, In

Dear Gary:

As a result of discussion at the April 16, 1979 public hearing and on behalf of the petitioners we wish to request withdrawal of the rezoning petition to R-3 on Harris Road.

It is our understanding that the intended land use of 2. 3 and 4 unit dwellings on individual lots is a permitted use in the RA zoning district and a rezoning would not be necessary or in the best interests of the community.

Thanks for your consideration in this matter.

Sincerely,

Z.K. TAZIAN ASSOCIATES,

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

24 April 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the amendment of the FORT WAYNE ZONING ORDINANCE BOOK (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-03-21

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
24th day of April, 1979

Made a matter of record 4-24-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

24 April 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held . In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved

1. Bill No. Z-79 -03-21

2. From B1A to B1B

3. Intended Use: Unknown

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

a. This request was previously approved by the Commission - this bill is before the Commission & Council to correct an error in the original legal description.

If there are any questions with regard to this ordinance, please feel free to call on us.

REspectfully yours,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 27, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-03-21, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 23, 1979.

Thomas G. Adams
Secretary

Certified and signed this
24th day of April, 1979

COMMUNITY DEVELOPMENT AND PLANNING

COMMUNICATION FROM CITY PLAN COMMISSION

24 April 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one (1) ordinance concerning the vacation of a dedicated alley.

The proposed ordinance is designated as:

BILL NO. G-79-03-17

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
24th day of April, 1979

Made a matter of record 4-24-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

24 April 1979

Members of the Common Council
City-County Building

One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1)alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held April 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-03-17

2. Intended Use: Vacated right-of-way will be utilized by abutting property owners

3. Plan Commission Recommendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

Community Development & Planning

Gary F. Baeten
Senior Planner

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 23/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 4-24-79 Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 23/79/E)

I hereby certify that I did this 16th day of April, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 23/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 23/79/E

(Adopted April 16, 1979)

WHEREAS, Section 174, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 12/79/E: THRU STREET (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 12, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4

of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 16, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET		(EMERGENCY)
Goshen Rd.	--from--	State Blvd. to Coliseum Blvd. except at State Blvd. Sherman Blvd., and Coliseum Blvd.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 24/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 4-24-79

Charles W. Westerman
City Clerk

REGULATORY RESOLUTION NO. 24/79/E

(Adopted April 17, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 11/79/E: TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY) DELETE: ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 12, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 17, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St.	--East side--	Berry St. to Wayne St.
Berry St.	--North side--	Barr St. to Lafayette St.
Harrison St.	--east side--	Main St. to Superior St.
Harrison St.	--west side--	Berry St. to Main St.
Harrison St.	--west side--	Washington Blvd. to Wayne St.
Wayne St.	--both sides--	Harrison St. to Webster St.
Wayne St.	--north side--	Clinton St. to Barr St.
CAlhoun St.	--both sides--	Clair St. to Superior St.

DELETE:

ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St.	--east side--	Berry St. to Wayne St.
Berry St.	--north side--	Barr St. to Lafayette St.
Harrison St.	--east side--	Main St. to Superior St.
Harrison St.	--west side--	Berry St. to Main St.
Harrison St.	--west side--	Washington Blvd. to Wayne St.
Wayne St.	--both sides--	Harrison St. to Webster St.
Wayne St.	--north side--	Clinton St. to Barr St.
CAlhoun St.	--both sides--	Clair St. to Superior St.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 25/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 4-24-79

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 25/79/E)

I hereby certify that I did this 23rd day of April, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 25/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 25/79/E

(Adopted April 23, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY): DELETE: NO PARKING 8:00 AM to 9:00 AM and 3:00 PM to 4:00 PM AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 18, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 23, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Berry St. --north side-- from Van Buren St. to Jackson St.

DELETE:

NO PARKING 8:00 AM to 9:00 AM and 3:00 PM to 4:00 PM (EMERGENCY)

Berry St. --north side-- from VAn Buren St. to Jackson St.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 26/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 4-24-79

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 26/79/E)

I hereby certify that I did this 24th day of April, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 26/79/E of the Board of Public Safety of the City of Fort Wayne, duly

certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 26/79/E

(Adopted April 24, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions, and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 24, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION		(EMERGENCY)
Wagner St.	--stop--	for Griswold Ave.

BILL NO. A-79-04-10

APPROPRIATION ORDINANCE NO. A-

AN ORDINANCE of the City of Fort Wayne, Indiana, appropriating the sum of Two Million Six Hundred Thousand Dollars ($2,600,000) to be applied on the cost of improving Baer Field, an airport owned and operated by The City of Fort Wayne, and expenses incurred in connection therewith

WHEREAS, by the adoption by the Common Council of an ordinance, the City of Fort Wayne has heretofore created a Department of Aviation under the control of the Board of Aviation Commissioners pursuant to Indiana Code 19-6-1; and

WHEREAS, the Board of Aviation Commissioners of the Department of Aviation of the City of Fort Wayne has found that it would be for the best interests of said City to provide for improving Baer Field, an airport owned and operated by The City of Fort Wayne, including the expansion and improvement of Terminal facilities, the purchase and installation of certain equipment, and site improvements to roadways and parking areas at said airport; and has determined that the estimated cost of said project, over and above the funds available for such purposes, will be in the approximate amount of Two Million Six Hundred Thousand Dollars ($2,600,000); and

WHEREAS, the Board of Aviation Commissioners has filed a request for an appropriation in the amount of Two Million Six Hundred Thousand Dollars ($2,600,000) on account of said project, which request has been approved by the City Controller, with the recommendation that the funds necessary to cover said appropriation be obtained by the issuance and sale of general obligation bonds of the City; and

WHEREAS, a petition has been filed under the provisions of Indiana Code 6-1.1-20-3, by more than fifty (50) owners of taxable real estate in the City of Fort Wayne, requesting the Common Council to issue bonds of the City in an amount not exceeding Two Million Six Hundred Thousand Dollars ($2,600,000), for the purpose of procuring funds to be applied on said project, which petition the Council has found to be in due form of law and sufficient under the provisions of said act, and

WHEREAS, the Council now finds that the City has no funds available or provided for in the existing budget and tax levy which may be applied on said project, and the issuance of bonds in the amount of Two Million Six Hundred Thousand Dollars ($2,600,000) has been authorized for that purpose; that an extraordinary emergency exists for the making of the additional appropriation hereinafter set out; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the sum of Two Million Six Hundred Thousand Dollars ($2,600,000) be appropriated out of the proceeds of the bonds designated as "Airport Improvement Bonds of 1979" heretofore authorized to be issued for the use of the Board of Aviation Commissioners in paying the cost of improving Baer Field, an airport owned and operated by The City of Fort Wayne, including the expansion and improvement of the Terminal facilities, purchase and installation of certain equipment, and site improvements to roadways and parking areas at said airport, together with the incidental expenses to be incurred in connection with said project and the issuance of bonds on account thereof.

Section 2. This ordinance shall be in full force and effect from and after its passage, and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana on Tuesday, the 22nd day of May, 1979, at 7:30 P.M. o'clock P.M.,E.S.T.

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-11

SPECIAL ORDINANCE NO. S-

AN ORDINANCE of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of providing funds to be applied on the cost of improving Baer Field and expenses incurred in connection therewith

WHEREAS, by the adoption by the Common Council of an ordinance, the City of Fort Wayne has heretofore created a Department of Aviation under the control of the Board of Aviation Commissioners pursuant to Indiana Code 19-6-1; and

WHEREAS, the Board of Aviation Commissioners of the Department

of Aviation of the City of Fort Wayne has found that it would be for the best interests of said City to provide for improving Baer Field, an airport owned and operated by the City of Fort Wayne, including expansion and improvement of terminal facilities, the purchase and installation of certain equipment, and site improvements to roadways and parking areas at said airport, and has determined that the estimated cost of said project, over and above funds available for such purposes, will be in the approximate amount of Two Million Six Hundred Thousand Dollars ($2,600,000); and

WHEREAS, the Board of Aviation Commissioners has filed a request for an appropriation in the amount of Two Million Six Hundred Thousand Dollars ($2,600,000) on account of said project, which request has been approved by the City Controller, with the recommendation that the funds necessary to cover said appropriation be obtained by the issuance and sale of general obligation bonds of the City; and

WHEREAS, a petition has been filed under the provisions of Indiana Code 6-1.1-20-3, by more that fifty (50) owners of taxable real estate in the City of Fort Wayne, requesting the Common Council to issue bonds of the City in an amount not exceeding Two Million Six Hundred Thousand Dollars ($2,600,000) for the purpose of procuring funds to be applied on the cost of said project, which petition the Council finds to be in due form of law and sufficient under the provisions of said act; and

WHEREAS, the Council now finds that said improvements are necessary, will be for the best interests of said City, and will be of general benefit to the entire City and its citizens; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the City of Fort Wayne (hereinafter sometimes referred to as the "City"), by and through its Board of Aviation Commissioners of the Department of Aviation, proceed with the construction of improvements to Baer Field, an airport owned and operated by the City of Fort Wayne (hereinafter sometimes referred to as "Airport"), including the expansion and improvement of terminal facilities, purchase and installation of certain equipment, and site improvements to roadways and parking areas at said airport, in accordance with the plans and specifications which have been or may hereafter be approved by said Board of Aviation Commissioners.

Section 2. For the purpose of providing funds to be applied on said project, including the incidental expenses necessary to be incurred in connection therewith and the issuance of bonds on account thereof, the City shall make a loan in the amount of Two Million Six Hundred Thousand Dollars ($2,600,000). In order

to procure said loan, the City Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable direct obligation bonds of the City, to be designated as "Airport Improvement Bonds of 1979", in the aggregate principal amount of Two Million Six Hundred Thousand Dollars ($2,600,000), which bonds shall be issued in the denomination of Five Thousand Dollars ($5,000), shall be numbered consecutively from 1 upwards, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates not exceeding six and one-quarter per cent (6 1/4%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable on January 1, 1980, and semi-annually thereafter, and shall be evidence by coupons attached to said bonds. Both bonds and interest coupons shall be payable at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, in lawful money of the United States of America. The bonds shall mature serially on January 1 in the years and amounts as follows:

Years	Amounts
1982	$500,000
1983 - 2003 inclusive	100,000

Said bonds shall be executed in the name of the City of Fort Wayne by the facsimile signature of the Mayor of said City, countersigned by the facsimile signature of the City Controller, and attested by the manual signature of the City Clerk, who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signature of the City Controller, and said official, by the execution of said bonds in the foregoing manner, shall adopt as and for his own proper signature his facsimile signature appearing on said coupons. Said bonds shall, in the hands of bona fide holders, have all of the qualities of negotiable instruments.

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, to-wit:

UNITED STATES OF AMERICA

State of Indiana County of Allen

No._____ $5,000

CITY OF FORT WAYNE
AIRPORT IMPROVEMENT BOND OF 1979

The City of Fort Wayne, in Allen County, Indiana, for value received, hereby acknowledges itself indebted and promises to pay to the bearer hereof the principal amount of

FIVE THOUSAND DOLLARS

on the first day of January, 19____, to pay interest thereon from the date hereof until the principal is paid, at the rate of _____per cent (_____%) per annum, payable on the first days of January and July in each year, beginning January 1, 1980, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of Americaat the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana.

This bond is one of an authorized issue of five hundred twenty (520) bonds of the City of Fort Wayne, of like date, denomination, tenor and effect, except as to rates of interest and dates of maturity, aggregating Two Million Six Hundred Thousand Dollars ($2,600,000), numbered consecutively from 1 to 520 inclusive, issued for the purpose of providing funds to be applied on the cost of improving Baer Field, an airport owned and operated by the City of Fort Wayne, pursuant to an ordinance adopted by the Common Council of said City on _____, 1979, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of providing funds to be applied on the cost of improving Baer Field, and expenses incurred in connection therewith", and in accordance with the governing statutes of the State of Indiana, including Indiana Code 19-6-1, and all acts amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as required by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana; and that the full faith and credit of the City of Fort Wayne, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal of and interest on this bond according to its terms.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, be ordinance of its Common Council, has caused this bond to be executed in its corporate name by the facsimile signature of its Mayor, countersigned by the facsimile signature of its City Controller, it corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said City Controller, as of the first day of _____, 1979.

CITY OF FORT WAYNE

By_____(facsimile)
Mayor

Countersigned:

_____ (facsimile)
City Controller

Attest:

_____
City Clerk

(Interest Coupon)

Coupon No. _____ $_____

On_____1, 19_____,

the City of Fort Wayne, Indiana, will pay to bearer at the Indiana Band and Trust Company of Fort Wayne, in said City, the amount shown hereon, in lawful money of the United States of America, being the interest then due on its Airport Improvement Bond of 1979, dated_____1, 1979, No._____.

CITY OF FORT WAYNE

By_____(facsimile)
City Controller

Section 4. As soon as may be done after the passage of this ordinance, the City Clerk shall give notice of the filing of the petition for and determination to issue bonds. Said notice shall be published once each week for two (2) weeks in the Fort Wayne News-Sentinel and the Fort Wayne Journal Gazette, and said notice shall also be posted in three (3) public places in the City, as provided by Indiana Code 6-1.1-20-4 and 6-1.1-20-5.

Said bonds shall not be advertised for sale prior to the expiration of the period during which taxpayers may file remonstrances or objecting petitions to the issuance of said bonds. In the event a remonstrance shall be filed by the owners of taxable real estate under the provisions of Indiana Code 6-1.1-20-4, then no further steps towards the issuance of said bonds shall be taken unless and until the Common Council shall have determined that such remonstrance is insufficient. In the event an objecting petition or petitions are filed by taxpayers under the provisions of Indiana Code 6-1.1-20-5, then no further steps towards the issuance of said bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of said bonds. In the event it shall be determined by the State Board of Tax Commissioners, or otherwise, that the whole amount of the bonds herein authorized shall not be issued, then the City Controller shall be authorized to advertise and sell a lesser amount of bonds, and the bonds not issued and sold shall be the bonds of the longest maturity or maturities.

Section 5. Prior to the sale of said bonds the City Controller shall cause

to be published a notice of such sale once each week for two (2) weeks in the Fort Wayne News-Sentinel and the Fort Wayne Journal Gazette, and one time in The Indianapolis Commercial. The date fixed for the sale shall be not earlier than seven (7) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office at the time and date fixed in the bond sale notice, at which time and place he shall open and consider said bids. Bidders for said bonds shall be required to name the rate or rates of interest which the bonds are to bear, not exceeding the rate hereinbefore named. Such interest rate or rates shall be in multiples of one-eight (1/8) or one-tenth (1/10) of one per cent (1%), and not more than five (5) different interest rates shall be named by each bidder. All bonds maturing on the same date shall bear the same single rate of interest, and the interest due on any bond on any interest payment date shall be represented by a single interest coupon. The controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accured interest at the rate or rates named to the date of delivery, shall be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without readvertising, but during such continuation no bid shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the City Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of said bonds. The cost of said opinion shall be considered a part of the cost of said project, and shall be paid out of the proceeds of said bonds.

Section 6. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, City Controller and City Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner herein provided. After said bonds shall have been properly executed, and upon consummation of the sale of said bonds, the City Controller shall be authorized to receive from the purchaser the amount so certified by the Controller and to deliver the bonds to such purchaser.

Section 7. This ordinance shall be in full force and effect immediately

upon its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-13

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving an Agreement to to Purchase by Jessie Kidd

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase dated April 9, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Jessie Kidd for:

W 1/2 Lot 266, Lewis Addition to City of Fort Wayne,
Allen County, Indiana,

for a gain to the City of $125.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-14

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Civil City Purchase Order No. 4-06184 with Morton Salt Company for Salt for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 4-06184, dated April 16, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Morton Salt Company, for the purchase of approximately 9,000 Tons of Type I Bulk Rock Salt at a cost of $22.90 Per Ton, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the first time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-19

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving an Agreement with Westwood Development, Inc., for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated April 9, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Westwood Development, Inc., Developer, for:

SANITARY SEWER

LINE A
Beginning at a proposed pump station located in the northeast corner, Lot 15 of Westwood Valley, Section 1; thence southwesterly generally following the north property line of Lots 15 through 29 inclusive, one thousand fifteen ± lineal feet terminating at a proposed manhole located 5 ± lineal feet east of the northwest corner of Lot 30 of Said Addition;

LINE B
Beginning at a proposed sanitary sewer manhole located 1 ± lineal feet west of and 5 ± lineal feet south of the northwest corner of Lot 20 of Said Addition, then southeasterly 290 ± lineal feet to a proposed manhole located on the northeast corner of Lot 45 of Said Addition, then southwesterly in and along an easement to the rear of Lots 42 through 45 and 31 through 35 inclusive , 800 ± lineal feet terminating at a proposed manhole;

LINE C
Beginning a t a proposed pump station located near the northeast corner of Lot 15 thence southerly in an easement to the rear of Lots 7 through 14 inclusive , 1160 ± lineal feet terminating at a proposed clean-out located 5 ± lineal feet south of and 5 ± lineal feet west of the northeast corner of Lot 6 of Said Addition;

LINE D

Beginning at a proposed manhole located 1 ± lineal feet north of and 5 ± lineal feet west of the southeast corner of Lot 8 of Said Addition, thence westerly 310 ±lineal feet to a proposed manhole located on the common property corners of Lots 49 and 56 of Said Addition, thence northerly 195 ± lineal feet to proposed manhole located 1 ± lineal feet east of and 5 ± lineal feet north of the southeast corner of Lot 52 of Said Addition;

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-20

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Sewer Contract No. 305-78, between the City of Fort Wayne, Indiana and Land Excavating, Inc., Contractor, for Southtown Mall Lift Station Elimination

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 4, 1979, between the

City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Land Excavating, Inc., Contractor, for:

> installation of a sanitary sewer in the area of Hanna Street, Tillman Road and in Tillman Park. Said installation of sewer to result in Southtown Mall Lift Station elimination,

under Board of Public Works Sewer Contract No. 305-78, at a total cost of $163,852.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things herebt ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-21

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving an Agreement between City of Fort Wayne Board of Works and Southtown Mall Development Company for construction of Hanna Street -Tillman Road - Tillman Park Area Sanitary Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated April 4, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Southtown Mall Development Company, for monetary contribution in the amount of $51,400.00 by Southtown Mall Development Company for their share of area

connection fees due and their participation in the construction costs of Hanna Street - Tillman Road - Tillman Park Sanitary Sewer and also, for the Southtown Mall Sanitary Sewer Lift Station Elimination, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 4-26-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-22

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities Purchase Order No. 0998 with Fuller Company % K.E. Jensen Company for equipment for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0998, dated April 3, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Fuller Company % K.E. Jensen Company, for:

Two Flange Mounted Uni-Filters and two Watchdog Timers for Three Rivers Filtration Plant.

at a cost of $4,880.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things

ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 4-28-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-23

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities Purchase Order No. 001015 with American Darling for equipment for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 001015, dated April 10, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and American Darling, for:

Butterfly Valves, Gaskets, Bolts and Glands for use by Water Maintenance & Service Department in the Water Distribution System,

at a cost of $11,745.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and

approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. X-79-04-12

ANNEXATION ORDINANCE NO. X-

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 5

WHEREAS, the owners of the territory described below have petitioned that the territory be annexed to the City; and,

WHEREAS, it is the desire of the City of Fort Wayne to annex the territory described below; and,

WHEREAS, the territory described below is contiguous to the corporate limits;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

PARCEL A

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning on the east line of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1915.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along said east line 715.42 feet to the southeast corner of said quarter-quarter section; thence North 89 degrees 41 minutes 41 seconds West along the south line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East 715.78; thence South 89 degrees 39 minutes 16 seconds East parallel with the north line of said quarter-quarter section 500.00 feet to the point of beginning, containing 8.214 acres, more or less, subject to all legal highways, rights-of-way and easements.

AND

PARCEL B

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1315.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along the east line of said quarter-quarter section 600.00 feet; thence North 89 degrees 39 minutes 16 seconds West parallel with the north line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East parallel with the east line of said quarter-quarter section 600.00 feet to the north line of said quarter-quarter section; thence South 89 degrees 39 minutes 16 seconds East along said north line 500.00 feet to the point of beginning, containing 6.887 acres, more or less, subject to all legal highways, right-of-way and easements.

AND

A part of Section 36, Township 30 North, Range 12 East, Allen County, Indiana described as follows: All of the Southeast Quarter of the Northwest Quarter of said section containing 39.762 acres, more or less.

EXCEPT: Beginning Northerly 82.4 feet along the west line of said quarter-quarter section from the southwest corner of said quarter-quarter section; thence continuing Northerly 385.0 feet along said west line; thence Easterly 228 feet perpendicular to said west line; thence Southerly 385.0 feet parallel with said west line; thence Westerly 228 feet perpendicular to said west line to the point of beginning and containing 2.015 acres, more or less.

EXCEPT: Parcel A, as described above.

EXCEPT: Parcel B, as described above.

Containing after said exceptions 22.646 acres, more or less.

AND

The North 400 feet of the Northeast Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, indiana, containing 12.091 acres, more or less.

AND

The North 400 feet of the East 400 feet of the East Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, containing 3.673 acres, more or less.

The total area containing approximately 53.511 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above-described territory, within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of

the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 5 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the City of Fort Wayne, Indiana, 1974.

SECTION 5. After its passage, approval by the Mayor and final publication, this ordinance shall be in force and effect.

John Nuckols
Councilman

Read the first time in full and on motion by Stier, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Annexation and to the City Plan Commission for recommendation

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-04-18

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-35

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 0-35, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

N. 80' of S. 160' of E. 272.25' of the N 1/2 of the SE. 1/4 of Section 36, T 30 N. R. 12 E., to the City of Fort Wayne, Allen County, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations and to the City Plan Commission for recommendation

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. A-79-04-01

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance appropriating certain funds from the Revenue Sharing Trust Account Fund 134 to various reserve funds have said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
Donald J. Schmidt

Concurred in 4-24-79

Charles W. Westerman
City Clerk

BILL NO. A-79-04-01

APPROPRIATION ORDINANCE NO. A-07-79

AN ORDINANCE appropriating certain funds from the Revenue Sharing Trust Account Fund 134 to various reserve funds

WHEREAS, the City of Fort Wayne is the recipient of certain Federal money through the State and Local Fiscal Assistance Act of 1972; and

WHEREAS, this money has been set aside in a special Revenue Sharing Trust Fund pursuant to said Act; and

WHEREAS, it is now necessary to appropriate said monies from the Revenue Sharing Trust Account.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated from the Revenue Sharing Trust Account to the following various accounts of the 1979 budget of the City of Fort Wayne, to wit:

TITLE		AMOUNT
Communications Department		
Signal Generators	$ 9,000	
Paging Terminal	12,900	
Shop Test Fixtures	11,800	
Dispatch Clocks	3,700	$ 37,400
Humane Commission		
Office Equipment (addition)	$ 500	
Desk, Chairs, Files (addition)	7,500	
Motor Equipment	10,700	
Animal Care Equipment	9,500	$ 28,200
Board of Public Works		
Motor Equipment	$ 13,000	
Furniture & Fixtures	900	
Office Equipment	3,500	
Street Resurfacing	800,000	
Repair Dikes & Storms	200,000	
Environmental Clean Up	35,000	$1,052,400
City Clerk		
File & Chairs	$ 1,000	$ 1,000

Weights & Measures		
Car & Scales	$ 5,200	$ 5,200
Horizons Council		
Contractual Economic Development	$ 10,000	$ 10,000
Street Department		
Street Sweeper	$ 40,000	
Leaf Removal Unit	16,000	$ 56,000
Controller's Department		
Insurance	$ 174,000	$ 174,000
Fire Department		
Chairs, Beds, Etc.	$ 3,500	$ 3,500
Police Departement		
Police Cars (31)	$ 145,000	
Lights, Sirens, Etc.	5,000	
Crime Laboratory	40,000	
Buy Money/Vice Division	15,000	$ 205,000
Traffic Engineering Department		
File	$ 250	
Car & Truck	10,000	
Computer Control	900	
Signal Poles	10,000	
Power Panels	1,200	
Signal Controllers	10,000	
Solid State Test Equipment	1,200	
Local Street Box	19,400	$ 53,139

Park Department		
Autos, Trucks, & Mowers	$ 63,475	
Summer in the City	10,000	
Summer Trees	15,000	$ 88,475
E.M.S. Department		
(2) Ambulances	$ 60,000	$ 60,000
Community Development & Planning		
Urban Homesteading	$ 30,000	
Emerg. Rehab. Loans	30,000	
Downtown Semi Mall	200,000	
Incomplete Neighborhood Programs	26,000	$ 286,000
Personnel		
Summer Employment	$ 75,000	$ 75,000
GRAND TOTAL 1979 REVENUE SHARING RESERVE FUNDS ESTABLISHED		$ 2,135,314

SECTION 2. That the unexpended and unappropriated balance of the Revenue Sharing Trust Fund #134 of the City of Fort Wayne is hereby reduced in the amount of $2,135,314.

SECTION 3. That the City Controller is hereby directed to provide every member of this Council with a copy of his reports to the Secretary of the Treasury as provided in the State and Local Fiscal Assistance Act of 1972.

SECTION 4. That the Mayor of the City of Fort Wayne is hereby requested and charged to personally review and insure that each and every encumbrance and expenditure of this money is in compliance with the intent of this Council as specifically outlined in this Ordinance.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Hinga, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: Two
Nuckols, Stier

Date: 4-24-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Appropriation Ordinance No. A-07-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. A-79-04-02

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance transferring and appropriating additional funds from the Third Year CDBG Discretionary Funds for the renovation of the Martin Luther King Center report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols

Concurred in 4-24-79 Charles W. Westerman
City Clerk

BILL NO. A-79-04-02

APPROPRIATION ORDINANCE NO. A-08-79

AN ORDINANCE transferring and appropriating additional funds from the Third Year CDBG Discretionary Funds for the renovation of the Martin Luther King Center

WHEREAS, heretofore on September 13, 1977, the Common Council of the City of Fort Wayne, Indiana, adopted Ordinance S-184-77 approving the expenditure of $25,000.00 for the renovation of the Martin Luther King Center: and

WHEREAS, due to a delay in starting the renovation, an additional $10,000.00 is needed to cover increased construction costs, for which funds exist in the Third Year CDBG discretionary funds available to be transferred and reappropriated for such purpose, which additional appropriation has been recommended by the City Controller.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the Third Year CDBG discretionary funds and appropriated to the renovation of the Martin Luther King Center, the sum of $10,000.00.

SECTION 2. That the unexpended and unobligated balance of the Third Year CDBG discretionary funds is hereby reduced in the amount of $10,000.00.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Appropriation Ordinance No. A-08-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-03

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving an Agreement to purchase Real Estate from Thomas Swihart for Neighborhood Care, Inc. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
Donald J. Schmidt

Concurred in 4-24-79 Charles W. Westerman
City Clerk

BILL NO. S-79-04-03

SPECIAL ORDINANCE NO. S-70-79

AN ORDINANCE approving an Agreement to purchase Real Estate from Thomas Swihart for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated March 27, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Thomas Swihart, for:

East 22 feet of South 100 feet of Lot 14 Chute Addition, Fort Wayne, Indiana

for the total cost of $3,500.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-70-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-04

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving an Agreement to purchase Real Estate from David and Flo Ann Cain for Neighborhood Care, Inc., have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
Donald J. Schmidt

Concurred in 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-04

SPECIAL ORDINANCE NO. S-71-79

AN ORDINANCE approving an Agreement to purchase Real Estate from David and Flo Ann Cain for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated April 2, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and David and Flo Ann Cain, for:

Lot 12 Romy's 2nd. Addition, Fort Wayne, Indiana

for the toal cost of $4,100.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-71-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of

10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-05

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving a contract between International Harvester Company and the City of Fort Wayne by and through its Department of Public Safety for Fire Protection have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
Donald J. Schmidt

Concurred in 4-24-79 Charles W. Westerman
City Clerk

BILL NO. S-79-04-05

SPECIAL ORDINANCE NO. S-72-79

AN ORDINANCE approving a contract between International Harvester Company and the City of Fort Wayne by and through its Department of Public Safety for Fire protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated March 26, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and International Harvester Company, for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

All buildings and improvements of IHC located in an area bounded by New Haven Avenue on the North; Meyer

Road on the East; Penn Central RR Tracks on the South and Coliseum Boulevard on the West (including the buildings facing on Pontiac Street extended, with the exception of the ND Warehouse property (Harback Realty Co.) located on the SE corner of the above area.

SECTION 2. That the cost of International Harvester Company shall be the sum of $65,937.38, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made apart hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-72-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of

10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-04-15

RESOLUTION NO. R-16-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Board of Works vehicle No. 2 1978 Chevrolet, Blazer, License Plate #72651T	$177.40	Hefner Chevrolet
2)	Police Dept. vehicle No. 104, 1977 Ford, 4 door sedan License Plate #45N6923	144.65	Northway Chrysler Plymouth
3)	Police Dept. vehicle No. 7, 1978 Ford, 4 door sedan License Plate #M017197	181.50	Allen County Motors
		$503.55	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from

and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-16-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-04-16

RESOLUTION NO. R-17-79

A RESOLUTION authorizing payment to Elliott Equipment Company for repair parts for the Traffic Engineering Department (Signal Division)

WHEREAS, the Traffic Engineering Department (Signal Division) was in need of repair parts, and insurance monies in reimbursement for such repair parts have been received and receipted by the City Controller in the amount of $241.10, and Elliott Equipment Company furnished said repair parts;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay $241.10 to Elliott Equipment for furnishing such repair parts, upon receipt of a proper voucher from the City Traffic Engineer.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-17-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-09

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. R-22 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

John Nuckols
Samuel J. Talarico
James S. Stier
William T. Hinga

Concurred in 4-24-79 Charles W. Westerman
City Clerk

BILL NO. Z-79-02-09

ZONING MAP ORDINANCE NO. Z-14-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District - Multiple Family Residential under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. R-22, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of Lot #3 and part of Lot #4 in Parkwood Place as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the southwest corner of Lot #4 in Parkwood Place as recorded in the plat therof in the Office of the Recorder of Allen County, Indiana, said point being 40 feet east of the

west line of the West Half of the Southwest Quarter of Section 29, Township 31 North, Range 13 East, Allen County, Indiana; thence east along the south line of Lot #4, a distance of 152.2 feet, said point being 1.8 feet west of the southeast corner of Lot #4; thence north with a deflection angle to the left of 89 degr. 52 min. 10 sec. a distance of 148 feet, thence west with a deflection angle to the left of 90 degr. 07 min. 50 sec. a distance of 152.2 feet to a point on the west line of Lot #3; thence south with a deflection angle to the left of 89 degr. 52 min. 10 sec. along the west line of Lot #3 and Lot #4 a distance of 148.0 feet to the point of beginning, containing 0.52 acres.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
V. Schmidt

Date: 4-24-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-14-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman — Winfield C. Moses, Jr.
City Clerk — Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

RECONSIDERATION VOTE ON BILL NO. Z-79-02-33

Read by Nuckols and seconded by Talarico, reconsideration vote was placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: Two
Hunter, V. Schmidt

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-02-33

ZONING MAP ORDINANCE NO. Z-15-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 District - Light Industrial under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-22, referred to therein, established by Section 33-11, of said chapter are hereby changed accordingly, to wit:

Lot number 95 in third Highland Park Addition to the City of Fort Wayne, Indiana, more commonly known as 511 Constance Avenue, Fort Wayne, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: One
V. Schmidt
Abstained: One
Hunter

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-15-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-32

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. Q-7 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO NOT PASS

John Nuckols
Samuel J. Talarico
James S. Stier
William T. Hinga

Concurred in 4-24-79 Charles W. Westerman
City Clerk

BILL NO. Z-79-02-32

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. Q-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 District General Industrial under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. Q-7, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot 75 and Lots 11 thru 20 in Gandy's Addition to the
City of Fort Wayne, Allen County, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Two
V. Schmidt, D. Schmidt
Nays: Seven
Burns, Hinga, Hunter, Moses, Nuckols, Stier, Talarico

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. R-79-04-17

RESOLUTION NO. R-18-79

A RESOLUTION approving the construction of East Central Towers as a low income housing project by the Fort Wayne Housing Authority

WHEREAS, the Fort Wayne Housing Authority has found that a shortage of decent, safe and sanitary housing for persons and families of low income exists in Fort Wayne, Indiana (the "Locality"), in which finding this Council concurs; and

WHEREAS, the Fort Wayne Housing Authority proposes that a mulit-family housing project be constructed in the Locality to consist of approximately 166 dwelling units intended for occupany by elderly persons and other persons and families of low income, which project has been designated "East Central Towers" and has been approved for assistance by the Federal Housing Administration of the U.S. Department of Housing and Urban Development as FHA Project 073-35307-PM-L8 (the "Project"); and

WHEREAS, East Central Towers Finance Corporation, an Indiana not-for-profit corporation (the "Corporation"), is being created to facilitate construction and permanent mortgage financing for the Project by the issuance and sale of its notes or other obligations; and

WHEREAS, Section 11(b) of the United States Housing Act of 1937 provides for financial assistance with respect to low income housing projects such as the Project by authorizing an exemption from federal income taxation for interest paid on obligations issued by an entity, such as the Corporation, and further

authorizes an exemption from federal income taxation for the income derived by such entities from such housing projects; and

WHEREAS, in order for the Authority to obtain such assistance from the federal government under said Section 11 (b) of the United States Housing Act of 1937, it is necessary for the Fort Wayne Housing Authority (the "Authority") to make certain determinations and enter into certain agreement with respect to the Project and the Corporation, all of which have been accomplished, and

WHEREAS, under the Indiana Housing Authorities Act, any housing project to be initiated by the Authority must first be approved by this Council as the governing body which activated the Authority; and

WHEREAS, this Council is full informed concerning the nature of the Project and now further finds that it is in the public interest that the Authority and the Corporation to proceed with the Project as planned.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the East Central Towers Project of the Fort Wayne Housing Authority is hereby approved.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-18-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-09

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving City Utilities Purchase Order No. 0972 with Treaty Company for equipment for the Water Maintenance & Service Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 4-24-79

Charles W. Westerman
City Clerk

BILL NO. S-79-04-09

SPECIAL ORDINANCE NO. S-73-79

AN ORDINANCE approving City Utilities Purchase Order No. 0972 with Treaty Company for equipment for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0972, dated March 23, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Treaty Company, for:

> Various Ext. Kits for use with Mueller Fire Hydrants in stock and in use for Water Maintenance & Service Department,

at a cost of $2,790.84, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-73-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk — Winfield C. Moses, Jr., Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 24th day of April, 1979 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 1st day of May,1979.

Charles W. Westerman
City Clerk

Minutes approved and signed in open council this 22nd day of May, 1979.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER